

**ENTERED**

March 29, 2023

Nathan Ochsner, Clerk

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:	)	
	)	
WILLIAM LEWIS BENNETT,	)	CASE NO. 22-31334
	)	
Debtor.	)	
	)	
NEXTGEAR CAPITAL, INC.,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Adv. Pro. No. 22-03255
	)	
WILLIAM LEWIS BENNETT	)	
	)	
<i>Defendant.</i>	)	

**AGREED FINAL JUDGMENT**

Came on for consideration the agreed final disposition of this case. Pursuant to the agreement of the parties as reflected herein by their signatures below, the Court finds that entry of the Final Judgment is proper in this case. The Court finds it has jurisdiction over the parties and subject matter. Further, the Court finds the Parties have previously appeared and made their appearances for all purposes in this cause. Based on the agreement of the parties, the Court finds that Plaintiff, NextGear Capital, Inc. ("NextGear"), is entitled to recover judgment as set forth below against Defendant, William Lewis Bennett ("Debtor"). The parties also stipulate and agree as follows:

1. On May 17, 2022, Debtor filed a petition under Chapter 7 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas, Houston Division.
2. NextGear filed its Complaint to Determine Dischargeability of Debt Pursuant to 11 U.S.C. §§ 523(a)(2)(A), 523(a)(4), and 523(a)(6) on August 15, 2022, commencing this adversary

proceeding and seeking a determination that the debt owing from Debtor to NextGear is nondischargeable pursuant to 11 U.S.C. §§ 523(a)(2)(A), 523(a)(4), and 523(a)(6). The Complaint was timely filed.

3. The Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§ 157 and 1334. Venue of this adversary proceeding is proper in this District pursuant to 28 U.S.C. § 1409. This adversary proceeding is a core proceeding under 28 U.S.C. § 157(b)(2).

4. NextGear and the Debtor wish to resolve the issues set forth in the Complaint in this adversary proceeding by means of an agreement to entry of judgment upon the terms set forth herein.

IT IS THEREFORE ORDERED AND DECREED as follows:

5. NextGear recover judgment of and from Debtor in the amount of Two Million, Sixty-Four Thousand, Three Hundred One and 11/100 Dollars (\$2,064,301.11), plus reasonable and necessary attorney fees in the amount \$9,874.66, with post-judgment interest to accrue at the rate of 5.04% per annum ("Judgment") for which let execution issue.


6. The Judgment is a nondischargeable debt of Debtor pursuant to 11 U.S.C. §§523(a)(2)(A), 523(a)(4), and 523(a)(6) and shall be entitled to collateral estoppel effect in this and any subsequent bankruptcy case filed by or against the Debtor and Debtor shall be entitled to a credit for any amounts paid to NextGear for its collection of the Judgment.

7. NextGear and the Debtor hereby acknowledge and agree that they have read this Agreed Judgment in its entirety, that they fully understand its content and effect, and that they agree to entry of the same after having been provided an opportunity to consult with, and after having consulted with, an attorney of their choosing. There are no representations, covenants, warranties, promises, agreements, conditions, or undertakings, oral or written, between NextGear

and Debtor other than as set forth herein. NextGear and the Debtor each acknowledge that they have not relied upon any inducements or representations on the part of the other party, or any agent acting on behalf of the other party, in entering into this Agreed Judgment.

8. The parties hereto agree that they may rely upon the facsimile signature of any other party as constituting a duly-authorized, irrevocable, actual, current delivery of this Agreed Judgment.

Signed: March 29, 2023

  
\_\_\_\_\_  
Eduardo V. Rodriguez  
Chief United States Bankruptcy Judge

AGREED IN FORM AND FOR ENTRY:

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William Lewis Bennett

Date: 3-21-23

*Debtor/Defendant*